

FOLEY GRIFFIN, LLP

ATTORNEYS AT LAW

THOMAS J. FOLEY
BRIAN J. GRIFFIN
DANIEL W. RUSSO

666 OLD COUNTRY ROAD, STE. 305
GARDEN CITY, NEW YORK 11530
(516) 741-1110
FAC. (516) 741-9171

SUFFOLK COUNTY OFFICE
33 MAIN STREET
SOUTHAMPTON, NEW YORK 11968
(631) 506-8170

KELLY GUTHY
CHRIS MCDONOUGH, SPECIAL COUNSEL

October 11, 2018

The Honorable Joan M. Azrack
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

RE: United States v. Richard (Rob) Walker
Docket No.: 18 -CR-087 (JMA)

Dear Judge Azrack,

Please allow this letter to serve as our response to the Government's request to advance the date of Mr. Walker's trial from January 7, 2019 to November 12, 2018. The defense does not consent to the Government's application for the reasons stated herein.

Currently, the parties are engaged in significant and potentially dispositive motion practice. Pursuant to the Court's motion schedule, the defense is preparing a Reply to the Government's Opposition and will be filing said Reply shortly. Additionally, it is conceivable that pre-trial hearings will need to be scheduled and conducted after the Court's decision on the motions. For these reasons alone, a November trial date is simply unrealistic.

Further, in addition to the reasons put forth above, the issue of the scheduling for my office and myself is also a significant concern. Based upon the firm trial date of January 7th 2019, set several months ago, the undersigned has worked diligently to clear our schedule and begin trial preparations and trial as scheduled by this Court. In doing so, this firm has moved forward on other matters and have been preparing those matters for litigation in November and early December. As such, it would be extremely difficult from a logistical standpoint to begin to free my calendar in November when I have already done so for January.

If the Court requires any further information, please do not hesitate to contact the undersigned.

Very truly yours,

Foley Griffin, LLP.

By: Brian J. Griffin, Esq.